

FILED - KZ

April 13, 2018 1:07 PM

U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGANilb Scanned by SB 4/13/18UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

NATHANIEL SPENCER III

*Plaintiff.*

vs

EXPERIAN INFORMATION  
SOLUTIONS, INC.; TRANS UNION  
LLC; EQUIFAX, INC.*Defendants*

Case No 1:18-cv-194

TRIAL BY JURY DEMANDED

**PLAINTIFF'S MOTION AND MEMORANDUM IN SUPPORT FOR  
LEAVE TO FILE AMENDED COMPLAINT**

Plaintiff requests leave of the Court to file an Amended Complaint to add an additional party and clarify claims made.

**A. Introduction**

1. Plaintiff is Nathaniel Spencer III; Defendants are Experian Information Solutions, Inc. (Experian) Equifax, Inc. (Equifax) and Trans Union LLC (Trans Union).
2. Plaintiff sued Defendants for violations of the FCRA.
3. Defendants Experian and Trans Union have filed an answer while Equifax has filed a motion to Dismiss which is pending before the Court.

**B. Argument**

4. Unless the opposing party can show prejudice, bad faith, or undue delay, a court should grant leave to file an amended pleading. *Foman v. Davis*, 371 U.S. 178, 182, 83 S.Ct. 227, 230 (1962). Leave to amend should be freely given when justice so requires. Fed. R. Civ. P. 15(a); *Walton v. Mental Health Ass'n*, 168 F.3d 661, 665, (3d Cir. 1999)

5. The Court should allow the filing of Plaintiff's amended pleading because it properly corrects deficiencies in Plaintiff's Original Complaint and allows a necessary party to be added to this action.
6. Defendants will not be prejudiced by Plaintiff's amended pleading.
7. Plaintiff is attaching his amended complaint to this Motion.

**C. Conclusion**

8. Plaintiff has amended his Original Complaint to clarify issues presented and to add a necessary additional party to this action. Plaintiff Requests the Court grant leave to file the Amended Complaint

Respectfully Submitted,



Nathaniel Spencer III  
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This is to certify that a true and correct copy of the foregoing document was sent to the parties listed below via email on the date below.

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Addendum: Certifying that I  
Tried to e-mail Counsel  
For Defendant Trans Union,  
LLC. Their e-mail would  
not accept my attachments  
so I faxed the foregoing  
document on 4/12/18

Dated April 12, 2018



Nathaniel Spencer III